

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

First Appeal No. 358/2007

Appeal
Application No.
Writ petition

District :
of 200

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

CORAM : Smt. V. A. Naik, J.
DATED : 6th June, 2007.

Heard Shri Pillai, learned counsel for the appellant. It appears from the perusal of the judgment that the Member, Industrial Court Chandrapur had rightly declared that the provisions of Employees State Insurance Act were not applicable to the respondent during the period from 15.07.1993 to 31.03.1996 and the recovery proceedings initiated by the appellant against the respondent were illegal and improper. It cannot be said by any stretch of imagination that the cartmen who had given carts on rent were paid the wages and were therefore employees of the respondent-Establishment.

Findings of fact recorded by the Member, Industrial Court Chandrapur are based on a proper appreciation of the material evidence on record. Since no substantial question of law arises for

consideration in this appeal the same is dismissed with no order as to costs.

JUDGE

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